

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

LULA WILLIAMS, et al.,
on behalf of themselves and all
individuals similarly situated,

Plaintiffs,

v.

Civil Action No. 3:17-cv-461

BIG PICTURE LOANS, LLC, et al.,

Defendants.

ORDER

Having considered the CLASS ACTION COMPLAINT (ECF No. 1), DEFENDANTS BIG PICTURE LOANS, LLC, ASCENSION TECHNOLOGIES, LLC, JAMES WILLIAMS, JR., GERTRUDE MCGESHICK, SUSAN MCGESHICK, AND GIIWEGIIZHIGOOKWAY MARTIN'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED (ECF No. 24), and the supporting, opposing, and reply memoranda, it is hereby ORDERED that the motion is granted in part and taken under advisement in part. The motion is taken under advisement to the extent that Big Picture Loans, LLC and Ascension Technologies, Inc. seek dismissal under Rule 12(b)(6). However, the motion is granted to the extent that the Tribal Officer Defendants seek dismissal under Rule 12(b)(6), because the CLASS ACTION COMPLAINT does not adequately allege any claims against those defendants.

Furthermore, it is hereby ORDERED that, by April 5, 2018, Plaintiffs may file an Amended Complaint as to the Tribal Officer Defendants; and the Tribal Officer Defendants shall, by April 30, 2018, file their Answers thereto and any motions respecting the adequacy of the Amended Complaint.

It is further ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process.

It is so ORDERED.

_____/s/ REP_____
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: March 9, 2018